

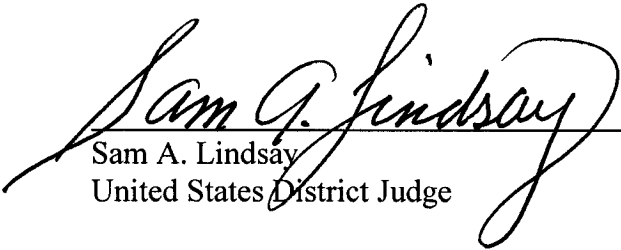
CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_ Deputy dg

[illegible]

## ORDER

After making an independent review of the pleadings, files and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct and are hereby accepted as those of the court. Accordingly, Petitioner's Petition for Writ of Habeas Corpus **denied**, and this action is **dismissed without prejudice** for failure to exhaust state remedies.

It is so ordered this 12<sup>th</sup> day of May, 2005.

  
\_\_\_\_\_  
Sam A. Lindsay  
United States District Judge